G. R. S. 58
Previous references.

File No. 60 of 1901-02

190

Serial Nos. 1-4

(Gen: Fin:)

Later references.

GENERAL AND REVENUE SECRETARIAT.

P. 15

Serial Nos. 1-4

Part B. for

SUBJECT.

Authorizing the Nazir of the Municipal Courts to withdraw on his own authority only such cash-Box or Chest that is deposited in the Treasury by him for safe custody.

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1. No. 6047/166 dated the 19th Feb: 1902 (G 1295-)
From the Registrar Chief Court
Requests the Govt to authorize the comptroller to modify the circular issued by him in the matter of custody of the Municipal Court-Cash chests so as to enable the Court-Nazir to withdraw the cash box from the Treasury on his own authority

2. No 14316/G 1211 dated the 28th Feb: 1902
To the Comptroller,
Enquires, what the practice elsewhere is, & in the matter of the custody of the cash chest, and whether there is any objection to accept the Nazir's acknowledgment for taking back the Cash chest from the Treasury

V3. No 5637 dated the 3rd March 1902 (F.1386)
From the Comptroller
States that if the Cash chest is the Nazir's and returned as such into the Treasury, the Treasurycan have no Objection to return it on his acknowledgment.

V4. No 15-537-5 dated the 18th March 1902
F 1320
To the Registrar chief Court Mysore
and the Comptroller
States that the officer who deposits the box must alone be competent to withdraw it, i.e. if it is the Nazar who deposits it, his authority is sufficient to withdraw it, otherwise the Munsiff's authority is required, but the chief Court may authorise the Nazir to sign the withdrawal for Munsiff if they think that such procedure is necessary to facilitate the business.

Indorsed
HSP

Note

Regarding the custody of the Cash-chests of Munsiffs' Courts.

Pending References

(1) Letter No 6047/166 dated 15th Feb 1902 — from the Registrar of the Chief Court requesting that the Comptroller may be directed to allow the Cash-chests of Munsiffs' Courts to be taken back on the acknowledgment of the Magistrate alone and not of the Munsiff

(2) Letter No 5637 dated 3rd March 1902 — from the Comptroller stating that if the Cash-chest be the Magistrate's and be received as such his acknowledgment is sufficient but not if it be that of the Munsiff and

be received as such.

The Comptroller in his Circular No 1667 dated 27th July 1887 has under the authority of the Government laid down the conditions under which the Cash-chests of Municipalities were to be received into and taken back from the Treasury.

On receiving the Cash-chest the Treasury-Officer has to give an acknowledgment in a book to be kept for the purpose and lodge the Cash-chest in the Treasury-room. When it is required back by the Municipality the book has to be produced at the Treasury along with the Municipality's acknowledgment.

Relying on this Circular the

Treasury Officer of Bangalore seems to have recently refused to allow the Cash-chest of the Principal Revenue Officer of Bangalore to be taken daily on the acknowledgment of the Receipt. The Registrar in his letter states that the practice previously was to allow the Cash-chest to be taken on the Receipt is acknowledgment and that the Revenue Officer represents that if his acknowledgment is insisted upon it would tend to cause considerable delay and inconvenience in the Cash transactions and that therefore the Comptroller may be authorized to modify the circular issued by him

The Comptroller was then addressed with a view to find out the practice elsewhere and what objections he

had to the cash-chest being delivered on the Magis acknowledgment.

The Comptroller in his Letter No 5637 States
3.1.1902
that if the cash-chest be the Magis' and be received as such it may be returned on his acknowledgment. But if it be regarded as the Municipio's and received as such into the Treasury the Municipio acknowledgment is necessary.

With regard to the practice elsewhere the Comptroller refers to Arts 258-264 of the Civil Accounts Code Vol I and specially to Note 1 to Art 261. If the Municipio's Cash Chest contains only the balance of the Magis' petty accounts referred

to in note I Art 161 the
check may be received into
the Treasury for safe
custody in the name of
the Registrar of the Court
and returned to him
whenever required on his
receipt

The Registrar in his
letter however does not
seem to me to refer
to this Cash-chest.
In every Sheriff's Court
there are 2 Cash-chests
the Court Cash-chest &
the Registrars Cash-chest.
The Registrar issues the
processes for service and
any money that may
remain in his hands
is that he has received
for the execution of
such processes. Besides
this parties daily pay into
Court for various purposes
various sums of money which
are received by an Officer
appointed for the purpose
usually the Head Messenger
It is also this Officer that issues
the processes and makes
the payments which results
in petty balances that
are kept in the Registrars

Cash chest as required from the Court Cash chest which is supposed to contain all sums that have been paid into the Treasury

The question now is whether the Court Cash chest can be allowed to be taken back on the authority of the Ranger in the Head Quarters. Both the Ranger & the Dy Ranger are required to give security. The transactions are all conducted by the Ranger under the supervision of the Munsiff. If the Cash-chest is allowed to be taken & brought back on the acknowledgment of the Ranger merely the Munsiff's responsibility will cease, and there will be no check on the Ranger

Submitted for orders

10/3/02

10/3/02

The Comptroller's opinion I think, should be followed. The Cash Chest containing the Rangers petty balances

may be removed on
his acknowledgement.
The other chest (if any)
containing valuable
attached property &c
which does not appear
need require to be
taken back every day
may as well be
removed only ~~after~~
on ~~the~~ a voucher signed
by the Supt.
Draft a reply &
let me see please

12/3

submitted
with a draft for
approval
& the Dewan
12/31

4048

3754
B2012.3.026 12/3 (Draft altered & approved by Dewan)

Issue altered draft

1/1/3

Sl 1.

(General Serial No. 30.)

1092 or ~~189~~ 1901-2 / 295

From The Registrar of the Chief Court, Mysore

To The Secretary to the Govt of Mysore

Dated 19 } Feby 1902
Despatched 20 }
Received

Enclosures No.

General No. 6047

No. 166

Requests that the Government may be pleased to authorise the Comptroller to modify the Circular issued by him in the matter of custody of Sessions Court Cash chests.

is & whether there is any objn to accept the Registrar's orders for such purposes'

26/2/1902

Draft submitted
27/2/02

Sd
24.2.02.

Submitted for orders
Perhaps the practice in other Sessions Courts may be ascertained, and are similar rule laid down in all
27-2-02

Ask the Comptr what the practice elsewhere

No. 6047
166

Bangalore.

19th February 1902.

From

V.A.Rajaratna Mudaliar Esquire,

Registrar of the Chief Court of Mysore.

To

H.V.Nanjundayya Esquire, M.A.M.L.,

Secretary to the Government of Mysore,

General and Revenue Departments.

Sir,

I have the honor to state that the Cash chest of the Principal Munsiff's Court, Bangalore, used to be sent to the Bangalore District Treasury for safe custody and taken back whenever needed on the acknowledgment of the Nazir. Of late the Treasury Officer has refused to accept the Nazir's acknowledgment as sufficient and insists on that of the Munsiff, relying on the Comptroller's Circular No. 1667 dated 27th July 1886 issued under the authority of the Government.

The Munsiff represents that if this new practice is insisted on, it will tend to cause considerable inconvenience and delay in regard to cash transactions in his Court and asks that the chest may be allowed to be taken on the acknowledgment of the Nazir, who has furnished the required security.

I am directed to request that Government be pleased to authorize the Comptroller to modify the Circular issued by him in the matter of custody of Munsiffs' Court Cash Chests.

I am to add that the Comptroller was asked if he would address the Government, but he replied that the reference

reference may be made by this Court.

I have the honor to be,

Sir,

Your most obedient servant,

Registrar.

Sl 2

No. 14316 dated the 28th Feb: 1902
J/1211

To The Comptroller, Mysore Gazette

Enquires, what the practice elsewhere is, in the matter of the custody of the Cash Chest, and whether there is any objection to accept the Nazir's acknowledgment for taking back the cash chest from the Treasury.

(Original not available in GL Records)

3

lw 5637

DEPARTMENT.

OFFICE OF THE COMPTROLLER, MYSORE GOVT.

Bangalore, 3rd March 1902. 189

From

E R. SUBRAYER, Esq., B.A.B.C.E.

Comptroller, Mysore Govt.

To H.V.Nanjundayya, Esq., M.A.M.L.
The Secretary to the Govt. of Mysore,
General & Revenue *Depts*

Sir,

In acknowledging the receipt of your docket No.14316 J1211 dated 28th February 1902, enquiring in the matter of the Custody of the Cash chests of the Munsiff Courts, what the practice elsewhere is and whether there is any objection to accept the Nazar's acknowledgment for taking back the Cash chest from the Treasury. I have the honor to state that if the cash chest be the Nazar's and received as such into the Treasury, e the Treasury can have no objection to return it on his acknowle ment. If on the other hand, the chest be that of the Munsiff and received into the Treasury from, and borne on the list in the name of that Officer, the acknowledgment of the Munsiff is necessary.

2. As regards the practice elsewhere, I solicit reference to Art:258 to 264 of Civil Account Code, Volume I. If the Munsif Court Cash chest contains only the balance of the Nazer's petty accounts corresponding to the Sheriff's petty accounts referred to in Note I Art:261, the chest may be received into the Treasur for safe custody in the name of the Nazir of the Court and returned to him whenever required on his receipt.

I have the honor to be,
Sir,
Your most obedient servant,

Comptroller.

OFFICE OF THE
71537.
6 MAR 2
1386
MYSORE

DEPARTMENT

189

From

The Comptroller, Mysore Govt.

To

The Secretary to the Govt. of Mysore,

Rev. Mysore Dept.

Dated

Despatched 5/3/52

Received

No. 5637

No.

SUBJECT MATTER.

Stating that if the Court
chooses the bags and
account as much into the
Treasury the Treasury can
have no objection to return
it to its customs

Sl 4 No 1540 dt 17/3/02

Proceedings of the Government of Mysore

Read Letter No 6047/166 dated 15th Feb 1902 from the Registrar of the Chief Court requesting that the Comptroller may be authorized to modify his circular No 1667 dated 27th July 1886 so as to allow the cash-chests of Munsiffs Courts to be taken back on the Registrar's establishment alone

Read Letter No 5637 dated 3rd March 1902

from the Comptroller stating that there is no objection to the Cash-chests being taken back on the Hajis acknowledgment if the Cash-chest be the Hajis' and be received as such but that the Municipl' acknowledgment is necessary if the Cash-chest be the Municipl' and be received and entered into the Treasury as such and that if the Court Cash-chest contains only the Hajis' petty balances it may be received for safe custody in the name of the Haji & returned on his receipt as provided for in Arts 258-264 of the Civil Account Code Vol I

15554-5
J. 1320 of 18/3/02

Order thereon dated
concurring with the views entertained
by the Comptroller &
Government that
no reason to require

Government can deal with the ~~the~~ cases referred by the Comptroller and see no reason to require ~~the~~ Comptroller to modify his circular No 1667 dated 27th July 1886. There is no objection to the entering the cash-chest containing the balance of the Nazir's petty accounts, in his name and allowing it to be removed on his acknowledgment

The other chest, if any containing valuable attached property need not be taken back every day and there does not seem to be any inconvenience in requiring the Nazir's voucher before removing it

By order

Registrar Chief Court & Comptroller

introduce any modification. The officer who deposits the box must alone be competent to withdraw it. If it is the Nazir who deposits it his authority is sufficient to withdraw it, but if the depositor is the Nazir it is right that the Nazir's authority must be produced before it can be withdrawn. If however the Chief Court considers that the procedure will be facilitated if the Nazir is authorized to withdraw it such cases their officers may be authorized by the Chief Court to sign for the Nazir. The application for withdrawal

Rs 1/3

13.III.92

15/3